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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 TRAVIS BONDURANT,

1:10-cv-01634 DLB (HC)

12 Petitioner,

ORDER TRANSFERRING CASE TO THE
UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF
CALIFORNIA

13 vs.

14 PEOPLE OF THE STATE OF CALIFORNIA

15 Respondent.
16 _____ /
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18 Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to 28
19 U.S.C. § 2254.

20 The federal venue statute requires that a civil action, other than one based on diversity
21 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants reside
22 in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise
23 to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or
24 (3) a judicial district in which any defendant may be found, if there is no district in which the action may
25 otherwise be brought.” 28 U.S.C. § 1391(b).

26 In this case, the petitioner is challenging a conviction from San Diego County, which is in the
27 Southern District of California. Therefore, the petition should have been filed in the United States
28 District Court for the Southern District of California. In the interest of justice, a federal court may

1 transfer a case filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v.
2 McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

3 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States
4 District Court for the Southern District of California.

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6 IT IS SO ORDERED.

7 **Dated: September 15, 2010**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE